

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

WILLIAM WITKOWSKI,

Plaintiff,

V.

DANA M RYAN,

## Defendants.

Case No. C18-5066 RBL-TLF

**ORDER DISMISSING  
PLAINTIFF'S COMPLAINT**

The Court, having reviewed the Report and Recommendation of Judge Theresa L. Fricke, United States Magistrate Judge, objections to the report and recommendation, if any, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) plaintiff's amended complaint fails to state a claim upon which relief may be granted under 42 U.S.C. § 1983; and
- (3) plaintiff's amended complaint, therefore this action, hereby is DISMISSED with prejudice; and
- (4) plaintiff's application to proceed *in forma pauperis* , Dkt. 6, is DENIED.

DATED this 24<sup>th</sup> day of August, 2018.

Ronald B. Lightner

Ronald B. Leighton  
United States District Judge